IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

)
)) 4.19CV2091
) 4:18CV3081
)) ORDER
)))

The law firm of Perry, Guthery, Haase & Gessford, P.C., L.L.O. (the law firm) represents a party to this action. My wife and I have engaged in estate planning with members of the law firm in the past and contemplate doing so again this year. Under these circumstances, I have decided that I must recuse myself from this case. *See*, *e.g.*, *Compendium of Selected Opinions*, § 3.6-2(a) at page 85 (last accessed July 5, 2018) (*Compendium*) (where an attorney-client relationship exists between a judge and a lawyer whose law firm appears in the case, the judge should ordinarily recuse absent remittal).

I do not believe remittal would be appropriate here because the contemplated estate planning this year will involve an intensely personal matter regarding one of our adult children and there is a possibility that a lawyer from the law firm will be asked to serve in a fiduciary capacity upon our deaths as is the case with our present estate planning documents prepared by the law firm.

IT IS ORDERED that I recuse myself from this case. The Clerk shall forward this matter to the Chief Judge for reassignment. The Clerk shall also provide Magistrate Judge Zwart with a copy of this memorandum and order.

DATED this 5th day of July, 2018.

BY THE COURT:

s/ Richard G. Kopf Senior United States District Judge